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Attorneys for Defendant Google LLC

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

CHASOM BROWN, WILLIAM BYATT,
JEREMY DAVIS, CHRISTOPHER
CASTILLO, and MONIQUE TRUJILLO,
individually and on behalf of all similarly
situated,

Plaintiffs,

v.

GOOGLE LLC,
Defendant.

Case No. 5:20-cv-03664-LHK-SVK

**DECLARATION OF JONATHAN TSE IN
SUPPORT OF JOINT SUBMISSION IN
RESPONSE TO DKT. 183, 246 RE:
SEALING PORTIONS OF JUNE 2, 2021
HEARING TRANSCRIPT**

Referral: Hon. Susan van Keulen, USMJ

1 I, Jonathan Tse, declare as follows:

2 1. I am a member of the bar of the State of California and an attorney with Quinn
3 Emanuel Urquhart & Sullivan, LLP, attorneys for Defendant Google LLC (“Google”) in this action.
4 I make this declaration of my own personal, firsthand knowledge, and if called and sworn as a
5 witness, I could and would testify competently thereto.

6 2. Pursuant to Civil Local Rule 79-5, I submit this declaration in support of the parties’
7 Joint Submission re: Sealing Portions of the June 2, 2021 Hearing Transcript (“Transcript”). In
8 making this request, Google has carefully considered the relevant legal standard and policy
9 considerations outlined in Civil Local Rule 79-5. Google makes this request with the good faith
10 belief that the information sought to be sealed consists of Google’s confidential and proprietary
11 information and that public disclosure could cause competitive harm.

12 3. Google respectfully requests that the Court seal the redacted portions of the
13 Transcript, attached hereto as Exhibit A.

14 4. The information requested to be sealed contains Google’s highly confidential
15 technical information regarding the various types of Google’s internal policies, internal data
16 structures, internal identifiers/cookies and their proprietary functions, that Google maintains as
17 confidential in the ordinary course of its business and is not generally known to the public or
18 Google’s competitors.

19 5. Such confidential information reveals Google’s internal strategies, system designs,
20 and business practices for operating and maintaining many of its important services and products,
21 and falls within the protected scope of the Protective Order entered in this action. *See* Dkt. 81 at 2-
22 3.

23 6. Public disclosure of such confidential information could affect Google’s competitive
24 standing as competitors may alter their identifier system designs and practices relating to competing
25 products. It may also place Google at an increased risk of cyber security threats, as third parties may
26 seek to use the information to compromise Google’s identifier systems.

1 7. On August 19, 2021, the parties conferred on the proposed redactions to the
2 Transcript. Plaintiffs believe there is no basis for any redactions, but they nonetheless do not oppose
3 Google's motion to seal.

4 8. For these reasons, Google respectfully requests that the Court order the identified
5 portions of the Transcript to be sealed.

6
7 I declare under penalty of perjury of the laws of the United States that the foregoing is true
8 and correct. Executed in San Francisco, California on August 19, 2021.

9
10 DATED: August 19, 2021

QUINN EMANUEL URQUHART &
SULLIVAN, LLP

11 By /s/ Jonathan Tse
12 Jonathan Tse

13 *Attorney for Defendant*
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